

January 10, 2018



U.S. Department
of Transportation

East Building, PHH-30

1200 New Jersey Avenue
S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP16232
(SECOND REVISION)

EXPIRATION DATE: 2021-04-30

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Linde Gas North America LLC
New Providence, NJ
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of non-DOT specification foreign cylinders containing a certain Division 2.2 compressed gas without pressure relief devices. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. No party status will be granted to this special permit.
 - d. This special permit may not be renewed.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 171.23(a)(1) in that cylinders are non-DOT specification cylinders, 171.23(a)(3) in that the cylinders are not imported for discharge within a single port area, 171.23(a)(2)(ii),

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173.301(f)(3), and 173.301(g) in that the cylinders are not equipped with pressure relief devices.

5. BASIS: This special permit is based on the application of Linde Gas North America LLC dated August 29, 2017 submitted in accordance with § 107.105, and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Compressed gas, n.o.s. (Krypton/Xenon gas mixture)	2.2	UN1956	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are non-DOT specification cylinders designed, manufactured, and tested in accordance with the National Standard of the People's Republic of China for Seamless Steel Gas Cylinders, GB 5099-1994 by the Beijing Tianhai (BTIC) High Pressure Container Co. Ltd., China. The cylinders must in be conformance with the drawings, specifications, and design criteria on file with the Office of Hazardous Materials Safety Approvals and Permits Division. The cylinders authorized include serial numbers A9572001- A9573155; 14C148460-14C150310. The cylinders are manifolded together in Manifolded Cylinder Packs (MCP's) in two configurations of either 16 or 15 cylinders each. Each cylinder is equipped with a shut-off valve or a cylinder valve, but is not equipped with a pressure relief device.

b. REQUALIFICATION - Each cylinder must be requalified in accordance with the requirements of § 180.209 as applicable to DOT-3AA cylinders except that the test pressure is 3/2 times the service pressure.

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c. OPERATIONAL CONTROLS -

- (1) The shipping papers must identify the cylinders with the special permit number "DOT-SP 16232".
- (2) Linde will act both as a shipper and carrier under the terms of this special permit.
- (3) Emergency response information provided with the shipment and available via an emergency response telephone number must indicate that the cylinders are not equipped with pressure relief device as required by § 173.301(f) and provide appropriate guidance for exposure to fire.
- (4) Cylinders authorized under this special permit may be transported by cargo vessel only when loaded into closed steel freight containers.
- (5) The cylinders are authorized for import from China to a designated US Port. The MCP's will be transported via motor vehicle to a Linde plant for discharge. The cylinders are not authorized to be filled in the United States.

8. SPECIAL PROVISIONS:

- a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.
- b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, cargo vessel, and rail freight.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this special permit.

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11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) – "The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials

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incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover

Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: SS/TG